

Onshore Fracking (Prohibition) Bill

[AS INTRODUCED]

LEGISLATIVE COMPETENCE

At Introduction the Member in charge of the Bill, Ms Áine Murphy, has made the following statement under Standing Order 30:

“In my view the Onshore Fracking (Prohibition) Bill would be within the legislative competence of the Northern Ireland Assembly.”

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Onshore Fracking (Prohibition)

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BILL

TO

Prohibit onshore hydraulic fracturing.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Prohibition of onshore hydraulic fracturing (‘fracking’)

1.—(1) In section 1(3) of the Petroleum (Production) Act (Northern Ireland) 1964 (right of Ministry to search for and get petroleum), at the beginning insert “Subject to section 2A,”.

5 (2) In section 2(1) of that Act (licences to search for and get petroleum), at the beginning insert “Subject to section 2A,”.

(3) After section 2 of that Act insert—

“Prohibition of onshore hydraulic fracturing (‘fracking’)

2A.—(1) Onshore hydraulic fracturing is unlawful.

10 (2) As a consequence of subsection (1)—

(a) the Ministry has no right of searching and boring for and getting petroleum by way of onshore hydraulic fracturing,

(b) no licence may be granted under section 2 permitting onshore hydraulic fracturing, and

15 (c) a licence granted under section 2 before this section comes into operation and permitting onshore hydraulic fracturing, has no effect to the extent that it permits onshore hydraulic fracturing.

20 (3) In this Act “hydraulic fracturing” means the generation of mechanical fractures in shale or strata encased in shale by means of the physical process of pumping fluid at high pressure, which is carried out in connection with the use of a well to search or bore for or get petroleum.

(4) For the purposes of this Act, hydraulic fracturing is onshore if it is hydraulic fracturing in respect of strata other than strata beneath—

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- (a) the foreshore,
- (b) the internal waters adjacent to Northern Ireland,
- (c) the territorial sea of the United Kingdom adjacent to Northern Ireland.”.

5 **Commencement**

2. This Act comes into operation after the end of the period of three months beginning with the date on which it receives Royal Assent.

Short title

10 3. This Act may be cited as the Onshore Fracking (Prohibition) Act (Northern Ireland) 2021.

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[AS INTRODUCED]

A Bill to prohibit onshore hydraulic fracturing.

Introduced by: Ms Áine Murphy

On: 29 November 2021

Bill Type: Non-Executive Bill

ACCOMPANYING DOCUMENTS

**An Explanatory and Financial Memorandum is printed separately as
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